

Report on Public Policy Position

Name of section:

Family Law Section

Contact person:

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Bill Number:

SB 0197 (McManus) Family law; paternity; circumstances under which putative father may sue to establish paternity of a child born to a married woman; establish. Amends secs. 1, 4 & 6 of 1956 PA 205 (MCL 722.711 et seq.).

Date position was adopted:

April 4, 2009

Process used to take the ideological position:

Position adopted after discussion and vote at a scheduled meeting.

Number of members in the decision-making body:

21

Number who voted in favor and opposed to the position:

14 Voted for position

1 Voted against position

0 Abstained from vote

6 Did not vote

Position:

Support

Explanation of the position, including any recommended amendments:

SB 197 reintroduces a bill the Family Law Section supported last term. The bill allows biological fathers standing to sue for paternity of a child that was conceived or born during the mother's marriage to someone else. The action must be brought within a year of the child's birth, and the mother must acknowledge the claimant as the biological father, or the child must have been conceived during a legal separation from the husband. The Council previously supported this bill as a first step in addressing these problems. The Family Law Section supports this bill.

The text of any legislation, court rule, or administrative regulation that is the subject of or referenced in this report.

<http://legislature.mi.gov/doc.aspx?2009-SB-0197>